

September 16, 2008

Invoice #: 048211

To: Image Processing Systems C/O Lehman Brothers-CRE PO BOX 2236 Secaucus, NJ 07096 Re: Lehman Brothers Inc., 1271 Avenue of the Americas τ, |

Day 2 Work H.C.C. # 280148 Proposal#1

Attn: Mr. Colin Bowen

Requisition No. 3R

BASE CONTRACT AMOUNT	\$ 4,581.58
CHANGE ORDERS TO DATE	\$ 41,757.73
ADJUSTED CONTRACT SUM	\$ 46,339.31
COMPLETED TO DATE	\$ 46,339.31
LESS RETAINAGE	\$ 0.00
TOTAL EARNED LESS RETAINAGE	\$ 46,339.31
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ 22,729.27
TOTAL AMOUNT DUE THIS REQUEST	\$ 23,610.04

cc: Eric Johnson CB Richard Ellis 140 Broadway-8th Floor New York, New York 10005

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CONTRACTOR'S APPLICATION FOR PAYMENT

CONTRACT FOR: Day 2 Work

New York, New York 10001

Continuation Sheet, AIA Document G703, Is attached... Application is made for Payment, as shown below, in connection with the Contract

ţ'n ORIGINAL CONTRACT SUM\$ TOTAL COMPLETED & STORED TO DATE..... RETAINAGE (Column G on G703) 0 % of Stored Material 0.00 41.757.73 16,339.31 £,581.58

TOTAL EARNED LESS RETAINAGE. CURRENT PAYMENT DUE. LESS PREVIOUS CERTIFICATES FOR PAYMENT Total Retainage (Line 5a + 5b or (Line 6 from pnor Certificate) Line 4 less Line 5 Total) Total in Column I of G703) Column F on C703) 23,610.04 0.00 46,339.31 22,729.27

'n BALANCE TO FINISH, INCLUDING RETAINAGE Line 3 less Line 6) 0.00

CHANGE ORDER SUMMARY TOTALS

VET CHANGES by Change Order rolal changes approved in otal approved this Month **ADDITIONS** 99 DEDUCTIONS

> paid by the Contractor for Work for which previous Certificates for Payment were completed in accordance with the Contract Documents, that all amounts have been information and belief the Work covered by this Application for Payment has been issued and payments received from the Owner and that current payment shown herein is The undersigned Contractor certifies that to the best of the Contractor's knowledge,

me this CONTRACTOR Notary Public Subscribed and swom before County of New York State of: New York day of CONSTRUCTION CO., INC Qualified in Nassau County Commission Expires February 1, 20 10 V.P. Accounting Notary Public, State of New York JĄ No. 4918485 Date: 116/08

ARCHITECT'S CERTIFICATE FOR PAYMENT

My Commission expires:

entitled to payment of the AMOUNT CERTIFIED. Architect's knowledge, information and belief the Work has progressed as indicated, the comprising this application, the Architect certifies to the Owner that to the best of the In accordance with the Contract Documents, based on on-site observations and the data quality of the Work is in accordance with the Contract Documents, and the Contractor is

conform to the amount certified.) figures on this Application and on the Continuation Sheet that are changed to (Attach explanation If amount certified differs from the amount applied for. Initial all

Inis Lenincate is not negotiable. The AMOUNT LEKTIFIED is payable only to the Lontractor named herein. Issuance, payment and acceptance of payment are without

ARCHITECT

ALA DOCUMBAT G702 · APPLICATION AND CERTIFICATE FOR PAYMENT + 1992 EDITION + AIA Φ + Φ 1992 + THE TAKERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK

AVENUE, N. W., WASHINGTON, D.C. 20005-5292 •

G702-1992

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HENECAN CONSTRUCTION CO., INC.



HENEGAN

June 30, 2008

Mrs. Cecilia Butler-McLaughlin Lehman Brothers 1301 Ayenue of the Americas, 9th Floor New York, NY 10019 Re: Leluman Brothers 1271 Avenue of the Americas HCC # 280148 Day 2 Work Change Order # 0005

Dear MRS. Butler-McLaughlin:

We herewith submit our change order to perform additional work at the above referenced location, as outlined below, for the sum of THREE THOUSAND FOUR HUNDRED FORTY FOUR AND 95/100 DOLLARS, (53,444.95).

Scope of Work

Furnish labor and materials required to provide electrical electrical electrical office 24D03 on the 45th floor as directed by Mrs. Butler-McLaughlin of Lehman Brothers in the attached e-mail dated 6/19/08. This alteration has been classified as Day-2 work.

Cost Breakdown

CSI#	Trade	Subcontractor	Cost
16001	Electrical	Campbell & Dawes Ltd.	\$2,255.00
01001	General Conditions (5%)	•	112.75
01001	CM Overtime	Henegan Construction Co., Inc	951-68
98001	Fee (2.5%)	<u>-</u>	82.99
17001	Incumnee (1.25%)		42.53
	TOTAL.		\$3,444.95

Work Not Included

- Building department filling and fees
- Blavator, hoisting engineering and building charges.
- · Sales Tax

- Asbestos removal and all related work.
- Trades not listed above.

Thank you for the opportunity to submit this proposal. If the above meets with your approval, please sign one copy and return to this office. Should you have any questions or require any additional information, please do not hesitate to contact this office.

Very truly yours,
HENEGAN CONSTRUCTION CO, INC.
Lohn S. Winter
Project Director

Accepted . Date

Co: Eric Johnson (CBRE), Mike Benedetti (CBRE), Kelth Frerichs (H.C.C.), R. Press (H.C.C.)

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Page 1 of 1

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CONDITIONAL FINAL WAIVER AND RELEASE OF LIEN

	HCC Project # 280148
STATE OF NEW YORK) COUNTY OF NEW YORK) ss	Block Lot
TO WHOM IT MAY CONCERN:	
The undersigned general contractor has been employed by labor and material at the premises known as 1271 Ave. of the A Rockefeller Development Group, is the Owner.	y Lehman Brothers, Inc. (Leasehold Tenant) to furnish Americas (Day 2 Work) New York NYC, of which The
The undersigned, for and in consideration of sums prev FIVE HUNDRED EIGHTY ONE DOLLARS AND FORTY ONE THOUSAND SEVEN HUNDRED Fibeing the full and Final Payment amount due, and other good at value of work completed and installed, hereby waives and releast laws of the State of New York relating to mechanic's liens, wi improvements thereon, and on the material, fixtures, apparatus considerations due or to become due on account of labor, service undersigned for the above-described project.	IFTY SEVEN DOLLAR AND 73/100 (\$41,757.73) and valuable consideration, which together represent the total es any and all liens, or claims of or rights to liens, under the fifth respect to and on the above-described premises and the or machinery furnished, and on the moneys, funds or other
The undersigned further represents and warrants that s/n waiver and release on his/her own behalf and on behalf of the comperformed all work and furnished all the materials of the specified and workmanlike manner, fully and completely; that it has paid in materials, equipment and services that it has used or supplied or that it has no other outstanding and unpaid payment application prosecution of work, chargebacks or unbilled work or materials materials which have been supplied or incorporated into the above or were fully paid for and supplied as slated on the final invoice.	d quality in accordance with the contract documents in a good for, or will pay for when Final Payment is received, all labor, may hereafter use or supply to the above-described premises; s, invoices, retention's, holdbacks, expenses employed in the against the Owner and/or the Leasehold Tenant; and that any
The undersigned further agrees to defend, indemnify an any such claim, lien or right to a lien be asserted by any of the und	d hold harmless the Owner for any losses or expenses, should dersigned's laborers, materialmen or subcontractors.
The undersigned further waives, releases and relinquishe whatsoever arising out of, through or under the above-mentioned	es any and all claims, rights or causes of action in equity or law project and the performance of work pursuant thereto.
IN WITNESS WHEREOF, the undersigned general co thereunto duly authorized this	entractor has caused this instrument to be signed by its officer
	HENEGAN CONSTRUCTION CO., INC
Sworn to before me this day By: of September 2008 JAMUS JAM	Aumbrized Signature Tony Slevira/VP Accounting Name & Title



August 4, 2008

Invoice #: 048149

To: Image Processing Systems C/O Lehman Brothers-CRE PO BOX 2236 Secaucus, NJ 07096

Re: Lehman Brothers

1271 Avenue of the Americas

3rd Floor Demolition H.C.C. # 270461

Attn: Mr. Colin Bowen

Requisition No. 2

BASE CONTRACT AMOUNT	\$	468,525,17
CHANGE ORDERS TO DATE	\$	56,993.22
ADJUSTED CONTRACT SUM	\$	525,518.39
COMPLETED TO DATE	\$	525,518.39
LESS RETAINAGE TOTAL EARNED LESS RETAINAGE	\$ \$	0.00 525,518.39
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$	508,637.48
TOTAL AMOUNT DUE THIS REQUEST	\$	16,880.91

cc: Eric Johnson CB Richard Ellis 140 Broadway-8th Floor New York, New York 10005

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FROM GENERAL CONTRACTOR: Henegan Construction Co., Inc. 250 West 30th. Street New York 10001	TO OWNER: Image Processing Systems FROJECT: 1271 Ave. of the Americas, NYC PO BCX 2236 FO BCX 2236 Securcus, N) 07096 ARCHITECT HCC #270461 Alter: Colin Bowen	へつこう うくばうと AND つかびばげつ
VIA (ARCHITECT	PROJECT:	ATE FOR P
7; Gensler & Associates 1230 Ave., of the Americas New York, NY 10020	Lehman Brobbers 1271 Ave. of the Americas, NYC 3rd Floor Demolition HCC #270461	AYMENT AIA DOCUMENT CO
CONTRACT DATE	APPLICATION NO.: 2 PERIOD TO: July 30, 2008 PROJECT NOS.:	'02 (Instructions on reverse side)
CONTRACTOR	Distribution to: OWN-ER ARCHITECT	PAGE ONE OF TWO FRACE

CONTRACTOR'S APPLICATION FOR PAYMENT

CONTRACT FOR: 3rd Floor Demolition

Continuation Sheet, AIA Document G703, is attached... Application is made for Payment, as shown below, in connection with the Contract.

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	525,518.39	0.00	2		

B. CURRENT PAYMENT DUE. 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from pnor Certificate). 508,637.48 16,880.91

9. BALANCE TO FINISH, INCLUDING RETAINAGE otal changes approved in orevieus months by Owner CHANGE ORDER SUMMARY (Line 3 less Line 6) OIALS ADDITIONS 40,112.31 56,993.22 0.00 DEDUCTIONS

IET CHANGE by Change Order

issued and payments received from the Owner and that current payment shown herein is paid by the Contractor for Work for which previous Certificates for Payment were completed in accordance with the Contract Documents, that all amounts have been information and belief the Work covered by this Application for Payment has been The undersigned Contractor certifies that to the best of the Contractor's knowledge,

now due. me this Subscribed and swom before Notary Public County of New York State of: New York day of PAMEONSTRUGION CO., INC Qualified in Nassau County Commission Expires February 1, 20 1 V.P. Accounting Well dy DRAYTON
Welle, State of New York
NO. 4618-485 다 한

ARCHITECT'S CERTIFICATE FOR PAYMENT

My Commission expires:

entitled to payment of the AMOUNT CERTIFIED. quality of the Work is in accordance with the Contract Documents, and the Contractor is Architect's knowledge, information and belief the Work has progressed as indicated, the comprising this application, the Architect certifies to the Owner that to the best of the in accordance with the Contract Documents, based on on-site observations and the data

conform to the amount certified.) figures on this Application and on the Continuation Sheet that are changed to (Attach explanation If amount certified differs from the amount applied for. Initial all

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AVENUE N. W., WASHINGTON, D.C. 20005-5220 •

CONTINUATION SHEET

AIA DOCUMENT C703

(Instructions on reverse side)

PAGE 2 OF 2 PAGES

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THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE NAV., VASHINGTON, D.C. 2000

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HENEGAN CONSTRUCTION CO., INC.

June 30, 2008

Ms-Patricia Bogley Lehman Brothers 1301 Avenue of the Americas, 9⁴¹ Pioor New York, NY 10019

Re: Lehman Biothers 1271 Avenue of the Americas HCC # 270461 3rd. Floor Change Order # 0004

Dear Me Begley:

We herewith submit our change order to perform additional work at the above referenced location, as outlined below, for the sum of: SEXTEEN THOUSAND EYOHT HUNDRED EIGHTY DOLLARS AND 91718D, (\$16,880.91).

Scope of Work

Provide electrical standby and power hookups/ disconnects for the 3rd Floor abatement

Cost Breakdown

CSI II	<u>Trade</u>	Subcontractor	Cost
16001	Electrical	Campbell & Dayes Ltd	\$8,995.00
01001	General Conditions (5%)	***************************************	449.75
01001	CM Overtime	Henegan Construction Co., Inc.	6.821.10
98001	Pet (2.5%)		406.65
17001	Insurance (1.25%)		. 208.41
	TOTAL.	•	\$16,880.01

Work Not Included

- Building department filing and fees
- Elevator, hoisting engineering and building charges.
- Sales Tax

- Asbestos remoyal and all related work.
- Timbes not listed above.

Thank you for the opportunity to submit this proposal. If the above meets with your approval, please sign one copy and return to this office. Should you have any questions or require any additional information, please do not hesitate to contact this office.

Very fully yours, HENTOAN CONSTRUCTION CO., INC

ionn d Winter Project Director

Co: Eric Johnson (CBRE), Mic Benedetti (CBRE), Kelth Frerichs (H.C.C.), R. Press (H.C.C.)

SOLDOO STATISTICAL STATISTICAL

250 NEST 30TH STREET NEW YORK NEW YORK 10001 212 017-0441 FAX: 212 043-1053

Page 1 of 1

CONDITIONAL FINAL WAIVER AND RELEASE OF LIEN

HCC Project # 270461
Block

STATE OF NEW YORK) COUNTY OF NEW YORK) ss

TO WHOM IT MAY CONCERN:

The undersigned general contractor has been employed by Lehman Brothers, Inc. (Leasehold Tenant) to furnish labor and material at the premises known as 1271 Ave. of the Americas (3rd Phoor Demolition) New York, NY of which The Rockefeller Development, is the Owner.

The undersigned, for and in consideration of sums previously received in the amount of <u>FIVE HINDRED</u> <u>EIGHT THOUSAND SIX HUNDRED THIRTY SEVEN DOLLAR AND 48/100 (\$508,637.48)</u> and contingent upon the receipt of <u>SIXTEEN THOUSAND EIGHT HUNDRED BIGHTY DOLLAR AND 91/100 (\$16,880.91)</u>, being the full and Final Payment amount due, and other good and valuable consideration, which together represent the total value of work completed and installed, hereby waives and releases any and all liens, or claims of or rights to liens, under the laws of the State of New York relating to mechanic's liens, with respect to and on the above-described premises and the improvements thereon, and on the material, fixtures, apparatus or machinery furnished, and on the moneys, funds or other considerations due or to become due on account of labor, services, material, fixtures, apparatus or machinery, furnished by the undersigned for the above-described project.

The undersigned further represents and warrants that s/he is duly authorized and empowered to sign and execute this waiver and release on his/her own behalf and on behalf of the company or business for which s/he is signing; that it has properly performed all work and furnished all the materials of the specified quality in accordance with the contract documents in a good and workmanlike manner, fully and completely; that it has paid for, or will pay for when Final Payment is received, all labor, materials, equipment and services that it has used or supplied or may hereafter use or supply to the above-described premises; that it has no other outstanding and unpaid payment applications, invoices, retention's, holdbacks, expenses employed in the prosecution of work, chargebacks or unbilled work or materials against the Owner and/or the Leasehold Tenant; and that any materials which have been supplied or incorporated into the above premises were either taken from its fully paid or open stock or were fully paid for and supplied as stated on the final invoice

The undersigned further agrees to defend, indemnify and hold harmless the Owner for any losses or expenses, should any such claim, lien or right to a lien be asserted by any of the undersigned's laborers, materialmen or subcontractors.

The undersigned further waives, releases and relinquishes any and all claims, rights or causes of action in equity or law whatsoever arising out of, through or under the above-mentioned project and the performance of work pursuant thereto

IN WITNESS WHEREOF, the undersigned general contractor has caused this instrument to be signed by its officer thereunto duly authorized this __S_ day of August 2008

HENEGAN CONSTRUCTION CO., INC

Sworn to before me this 2 day

of August 2008

Ву:

Tony Slevica/V.P. Accounting

Notary Public Shimesion Explies February 1, 2000

RAYTON

Name & Title



HENEGAN CONSTRUCTION CO., INC.

August 20, 2008

Invoice #: 048164

To: Image Processing Systems C/O Lehman Brothers-CRE PO BOX 2236 Secaucus, NJ 07096

Attn: Mr. Colin Bowen

Re: Lehman Brothers Inc., 1271 Avenue of the Americas

Day 2 Work H.C.C. # 280148 Proposal#1

Requisition No. 2

BASE CONTRACT AMOUNT	\$	4,581.58
CHANGE ORDERS TO DATE	\$	18,147.69
ADJUSTED CONTRACT SUM	\$	22,729.27
COMPLETED TO DATE	\$	22,729.27
LESS RETAINAGE TOTAL EARNED LESS RETAINAGE	\$ \$	0.00 22,729.27
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$	4,581.58
TOTAL AMOUNT DUE THIS REQUEST	\$	18,147.69

cc: Eric Johnson CB Richard Ellis 140 Broadway-8th Floor New York, New York 10005

APPLICATION AND CERTIFICATE FOR PAYMENT	TE FOR PAYMEN	T AIA DOCUMENT G702 (Instructions on reverse side)	(Instructions on reverse side)	TAGE OF THE TAGE
TO OWNER: Lehman Brathers Inc., 1301 Avenue of the Amencas New York, N.Y. 10019 Altn: Colin Bowen	PROJECT: Lehman Brothe 1271 Ave. of th Day 2 Work-Pr HCC #280148	Lehman Brothers 1271 Ave. of the Americas, NYC Day 2 Work-Proposal #1 HCC #280148	APPLICATION NO.: 2 PERIOD TO: August 20, 2008 PROJECT NOS.:	Distribution to: OWNER ARCHITECT CONTRACTOR
••	VIA (ARCHITECT):	Associates	CONTRACT DATE:	
Henegan Construction Co., Inc. 250 West 30th. Street New York, New York 10001	1230 Ave. New York,	1230 Ave. of the Americas New York, NY 10020		
CONTRACT FOR Day 2 Work		The state of the s	The state of the Contractor's knowledge.	ontractor's knowledge,
CONTRACTOR'S APPLICATION FOR PAYMENT Application is made for Fayment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached	RAYMENT with the Contract.	Ine undersigned Contraction information and belief the W completed in accordance wby the Contractor for Work payments received from the U	Ine undersigned Condation Certains was to accompanie to Payment has been information and belief the Work covered by this Application for Payment have been paid completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner and that current payment shown herein is now due.	for Payment has been at all amounts have been paid s for Payment were issued and t shown herein is now due.
1. ORIGINAL CONTRACT SUM	\$ 4,581.58 \$ 18,147.69 \$ 22,729.27	CONTRACTOR: HENEGR	ECTAN CONSTRUCTION CO., INC.	Date: 6/70 04
TOTAL COMPLETED & STORED TO DATE (Column G on G703) RETAINAGE	\$ 22,729.27	State of: New York County of New York Subscribed and swom before	Notable Dillion	State of New York
\$ 0.00	ı	me this day of Notary Public	No. 4 Qualified in Expli	Ouglified in Nassau County Qualified in Nassau County Commission Expires February 1, 20
GE	\$ 0.00 \$ 22,729.27	ARCHITECT'S C	ARCHITECT'S CERTIFICATE FOR PAYMENT	AYMENT
Une 4 less Line 5 Total) 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ 4,581.58	in accordance with the Conconting this application,	in accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the	the observations and the data Tweet that to the best of the
	\$ 18,147.69	Architect's knowledge, info quality of the Work is in act	Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is	progressed as indicated, the uments, and the Contractor is
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	Add'I Cos to follow	entitled to payment of the AMOUNT CERTIFIED.	MOUNT CERTIFIED.	S.
CHANGE ORDER SUMMARY ADDITIONS	DEDUCTIONS	(Attach explanation If amo	Attach explanation If amount certified differs from the amount applied for, Initial all	rount applied for. Initial all et that are changed to
_		rigures on this Approximation conform to the amount certified.)	iffed.)	ı
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AIA DOCUMBYI G702 · APPLICATION AND CRITIFICATE FOR PAYMEN AVENUE, N. W. WASHINGTON, D.C. 2000-S792 ·	үг - 1992 ЕВІПОМ - AIA © • Ф 1	APPLICATION AND CHTIFICATE FOR PAYMENT • 1992 EDITION • AIA © • © 1992 • THE WEBICAN INSTITUTE OF ARCHITECTS, 1795 NEW YORK ON, D.C. 20006-5722 •	JS, 1735 NEW YORK	G702-1992

Ó	CONTINUATION SHEET	AYMENT, containing		AIA DOCUMENT G703	<u>E</u>	(Instructions on reverse side) APPLICATION NUMBER:	EL.	PAGE 2 OF 2 PAGES	
Alf Use Contack	An Occurrent or use for a construction of salarding.	3				APPLICATION DATE	•	August 20, 2008	
in tabula.	in ebulations below, arrounts are stated to tho nearest dollar.					PERIOD FROM: FEXIOD TO:	4	lune 10, 2008 August 20, 2008	
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HENEGAN

July 11, 2008

Mrs. Coolin Butter-McLoughlin Lehman Brothers 1301 Avenue of the Americas, 9th Floor New York, NY 10019 Re: Lehman Brothers 1271 Avenue of the Americas HCC # 280148 Day 2 Work Change Order # 0006

Dear Mrs. Butler-McLaughlin:

We herewith submit our change order to perform additional work at the above referenced location, as outlined below, for the sum of THIRTEEN THOUSAND EIGHT HUNDRED TWENTY SEVEN AND 64/100 DOLLARS, (\$13, 827.64).

Scope of Work

Furnish labor and materials required to convert 38th Floor NW Conference Room into MD Office including an electrical pokethra, removal of flattered TV, relocation of power and subsequent patching. All alterations based on direction from Mrs. Butler-McLaughlin of Lehman Brothers in the attacked c-mail dated 7/01/08. This alteration has been classified as Day-2 work.

Cost Breakdown

CS1 //	<u>Frade</u>	Subcontractor	Cost
09250	Dryvall & Comentry	JP Phillips Inc.	\$1,809.95
09900	Painting & Wallcovering	Murray Hill Pointing Co., Inc.	476.00
16001	Electrical	Compbell & Dawes Ltd.	6,040.00
01001	General Conditions (5%)	•	416 30
10010	CM Overtime	Henegan Construction Co., Inc	4,581.58
98001	Fee (2.5%)	•	333.10
17001	Insurance (1 25%)		170.71
1,501	TOTAL.		\$13,827.64

Work Not Included

- Building department filing and fees
- · Elevator, holsting engineering and building charges
- Soles Tax

- Asbestos removal and all related work.
- Trades not listed above.

Thank you for the opportunity to submit this proposal. If the above meets with your approval, please sign one copy and return to this office. Should you have any questions or require any additional information, please do not hesitate to contact this office.

Very billy yours, HENEGAN CONSTRUCTION CO., INC. Noting B: Winter Project Director

Accepted ______Date_

Cc: Eric Johnson (CBRE), Mike Benedetti (CBRE), Keith Frerichs (H.C.C.), R. Press (H.C.C.) FASIOLESCHERCHURG OND COMPAGNALES 250 WEST 307H STREET WENVYORK NEW YORK 10001 212 047 0441 FAX: 212 043 1053



July 15, 2008

Ms Jenny Collingfam Lehman Brothers 1301 Avenue of the Americas, 9th Ploor New York, NY 10019

Ro; Lellman Brothera 1271 Avenue of the American RCC/F280148 Day 2 Work Climbo Quar #10007

Dear Ms. Collibbianti

We herewith submit our classic order to perform additional every at the above referenced location; as sufficient to like the off FOUR THOUSAND THREE HUNDRED TWENTY AND 05/100 DOLLARS, (\$4,420,65).

Scope of Wark

Furnish labor and materials required to convert. 46th Floor MD Office fints where (3) person affice higheditig repositing power from a floor box to the East wall, capping the floor box and carpet patch. All alteralishes based on direction From the Cottingham of Lohnan Brothers in the attached e-mail dated 7/15/08. This alleration has been classified as Day-2 work

Cost Brenkilown

CSLE	<u>Tındo</u>	Sibcontractor	-COETA
1,6001	Electrical	Campbell & Dawes Ltd	\$2,065,0d 148.25
0100)	General Conditions (5%)	read to a some constitution flor. The	1 ,049,4 0
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Work Not Included

- Building department filling and fees
- Elevator, haisting engineering and building charges
- Sales Tax

- Ashestos removal and all relativit work.
- Trados nol-Hildell abovo

Thank you for the apportunity to aubmit fills proposal. If the above meets with your approval, please sign one copy and return to this office. Should you have any questions or require any additional information, please do not he significant obstact this office.

VGIY KUİY YOMAN HENEGAN CONSTRUCTION CO., INC.

John S. Winter Project Director

Appropried:

Cor Keith Frerichs (H.C.C.), R. Press (H.C.C.)

SEB WEST SOLLT ELEMENT. MEM ADMY ADMY TOWN TOOM SISTEM-1941 MVF 515 049-1023

FAITGEREN ENCHANGE CAUCHDOT 9007 DA

CONDITIONAL PARTIAL WAIVER AND RELEASE OF LIEN

Req. # 02
HCC Project # 280148
Block
Lot

STATE OF NEW YORK.) COUNTY OF NEW YORK) 88

TO WHOM IT MAY CONCERN:

The undersigned general contractor has been employed by <u>Lehman Brothers Inc.</u>, (Leasehold Tenant) to furnish labor and material at the premises known as <u>1271 Avenue of the Americas (Day 2 Work).NYC</u> of which <u>The Rockefeller Development Group</u>, is the Owner.

The undersigned, for and in consideration of sums previously received in the amount of FOUR THOUSAND FIVE HUNDRED EIGHTY ONE DOLLAR AND 58/100 (\$4,581.58) the receipt whereof is hereby acknowledged and contingent upon the receipt of EIGHTEEN THOUSAND ONE HUNDRED FORTY SEVEN DOLLAR AND 69/100 (\$18,147.69), for the total value, less retainage, of work completed and installed to date, hereby waives and releases any and all liens or rights of lien now existing under the laws of the State of New York relating to mechanic's liens, with respect to and on said above-described premises and the improvements thereon, and on the material, fixtures, apparatus or machinery furnished, and on the moneys, funds or other considerations due or to become due from the Owner and/or the Leasehold Tenant on account of labor, services, material, fixtures, apparatus or machinery furnished through the 20th day of August 2008, by the undersigned for the above described premises.

IN WITNESS WHEREOF, the undersigned general contractor has caused this instrument to be signed by its officer thereunto duly authorized this ______ day of <u>August 2008</u>.

HENEGAN CONSTRUCTION CO., INC.

Sworn to before me this ____day of August 2008

By:

Notary Public, State of New York

JAMES G. DRAYTON Notary Public, State of New York No. 4918485

Qualified in Nassau County Commission Expires February 1, 20 Tony Slevira/VP Accounting

Print name & title



September	16.	2008
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Invoice #: 048210

To: Lehman Brothers Inc., 1301 Avenue of the Americas-9th Floor New York, New York 10019 Re: Lehman Brothers Inc., 1271 Avenue of the Americas Vacant Space H.C.C. # 260377-S

400 000 72

1

Attn: Mr. Colin Bowen

Requisition No. 2

BASE CONTRACT AMOUNT	\$ 482,080.73
CHANGE ORDERS TO DATE	\$ 106,449.83
ADJUSTED CONTRACT SUM	\$ 588,530,56
COMPLETED TO DATE	\$ 588,530.56
LESS RETAINAGE	\$ 0.00
TOTAL EARNED LESS RETAINAGE	\$ 588,530.56
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ 376,340.47
TOTAL AMOUNT DUE THIS REQUEST	\$ 212,190.09

cc: Erlc Johnson CB Richard Ellis 140 Broadway-8th Floor New York, New York 10005

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CONTRACT FOR: Vacant Space

CONTRACTOR'S APPLICATION FOR PAYMENT

Continuation Sheet, AIA Document G703, is attached... Application is made for Payment, as shown below, in connection with the Contract.

b. 0 % of Stored Material	1. ORIGINAL CONTRACT SUM
\$	e 1 + 2)
0.00	TE
	482,080.73 106,449.83 588,530.56 588,530.56

i, TOTAL EARNED LESS RETAINAGE.. CURRENT PAYMENT DUE. LESS PREVIOUS CERTIFICATES FOR PAYMENT Total Retainage (Line 5a + 5b or (Line 6 from prior Certificate)... Line 4 less Line 5 Total) Total in Column I of G703) (Column F on C/US) 212,190.09 376,340.47 588,530.56

0.00

TOTAL
NET CHANGES by Change Order revious months by Owner CHANGE ORDER SUMMARY otal approved this Month (Line 3 less Line 6) ADDITIONS 106,449,83 05,449.83 0.00 000 DEDUCTIONS

9. BALANCE TO FINISH, INCLUDING RETAINAGE

completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were information and belief the Work covered by this Application for Payment has been issued and payments received from the Owner and that current payment shown herein is The undersigned Contractor certifies that to the best of the Contractor's knowledge,

Notary Public 4/6/8 Commission Expires February 1, 2016	Subscribed and swom belore Notage Fublic, State of New York Not. 4918485 me this day of Oualified In Nassau County	State of : New York	CONTRACTOR: HENEGAN CONSTRUCTION CO., INC CONTRACTOR: HENEGAN CONSTRUCTION CO., INC CONTRACTOR: HENEGAN CONSTRUCTION CO., INC BY: 146/08
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ARCHITECT'S CERTIFICATE FOR PAYMENT

in accordance with the Contract Documents, based on on-site observations and the data entitled to payment of the AMOUNT CERTIFIED. quality of the Work is in accordance with the Contract Documents, and the Contractor is Architect's knowledge, information and belief the Work has progressed as indicated, the comprising this application, the Architect certifies to the Owner that to the best of the

conform to the amount certified.) figures on this Application and on the Continuation Sheet that are changed to (Attach explanation If amount certified differs from the amount applied tor. Initial all Date

Inis Lertilicate is not negotiable. The AMOUNT LEKTIFIED is payable only to the Loritractor named nerein. Issuance, payment and acceptance of payment are without

ARCHITECT:

AIA DOCUMENT G782 · APPLICATION AND CERTIFICATE FOR PAYMENT · 1992 EDITION · AIA Ø · D 1992 · THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK

AVENUE, N. W., WASHINGTON, D.C. 2000-5297

G702-1992

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HENECAN CONSTRUCTION CO., INC.

ľ:

ATTACK FOR APPLICATION AND CERTIFICATE FOR PAYMENT, containing	CONTINUATION SHEET	
	AIA DOCUMENT G703	
APPLICATION INDINSER	AIA DOCUMENT C703 (Instructions on reverse side)	

Contractor's signed Conflication is attached.

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in izbulations below, amounts are stated to the nearest dollar.

APPLICATION DATE: TON NUMBER: September 16, 2008

PERIOD FROM: PERIOD TO:

PAGE 2 OF 2 PAGES

August 1, 2008 September 16, 2008

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CONDITIONAL FINAL WAIVER AND RELEASE OF LIEN

	HCC Project # <u>2603778</u>
STATE OF NEW YORK) COUNTY OF NEW YORK) ss	Block Lot
TO WHOM IT MAY CONCERN:	
The undersigned general contractor has been emp and material at the premises known as 1271 Ave. of the Rockefeller Development is the Owner.	oloyed by Lehman Brothers(Leasehold Tenant) to furnish labor e Americas (Vacant Space)New York NYC, of which The
SEVENTY SIX THOUSAND THREE HUND contingent upon the receipt of TWO HUNDRED DOLLAR AND 09/100 (\$212,190.09), being the ficulty of the second consideration, which together represent the total value of vilens, or claims of or rights to liens, under the laws of the standard properties and the improvements there	respectively received in the amount of THREE HUNDRED RED FORTY DOLLAR AND 47/100 (\$376,340.47), and TWELVE THOUSAND ONE HUNDRED NINETY all and Final Payment amount due, and other good and valuable work completed and installed, hereby waives and releases any and all state of New York relating to mechanic's liens, with respect to and on con, and on the material, fixtures, apparatus or machinery furnished, or to become due on account of labor, services, material, fixtures, he above-described project.
waiver and release on his/her own behalf and on behalf of performed all work and furnished all the materials of the sand workmanlike manner, fully and completely; that it has materials, equipment and services that it has used or supptient it has no other outstanding and unpaid payment approximation of work, chargebacks or unbilled work or management and services are unbilled work or management.	that s/he is duly authorized and empowered to sign and execute this the company or business for which s/he is signing; that it has properly specified quality in accordance with the contract documents in a good is paid for, or will pay for when Final Payment is received, all labor, olied or may hereafter use or supply to the above-described premises; dications, invoices, retention's, holdbacks, expenses employed in the aterials against the Owner and/or the Leasehold Tenant; and that any the above premises were either taken from its fully paid or open stock avoice.
The undersigned further agrees to defend, inden any such claim, lien or right to a lien be asserted by any or	nnify and hold harmless the Owner for any losses or expenses, should fithe undersigned's laborers, materialmen or subcontractors.
The undersigned further waives, releases and rel whatsoever arising out of, through or under the above-me	inquishes any and all claims, rights or causes of action in equity or law ntioned project and the performance of work pursuant thereto.
IN WITNESS WHEREOF, the undersigned ge thereunto duly authorized this day of September	neral contractor has caused this instrument to be signed by its officer 2008
	HENEGAN CONSTRUCTION CO., INC
Swom to before me this <u>/L</u> day of <u>September 2008</u>	By: Authorized Signature
Notary Public, State of New York Flo. 4918485 Notary Public, State of New York Flo. 4918485 Notary Public, State de Warrau County Commission Expires February 1, 20	Tony Slevira/VP Accounting Name & Title



September 15, 2008

Invoice #: 048209

To: Image Processing Systems C/O Lehman Brothers-CRE PO BOX 2236 Secaucus, NJ 07096 Re: Lehman Brothers Inc., 1301 Ave. of the Americas 9th Floor MD Office H.C.C. # 280256

Attn: Mr. Colin Bowen

Requisition No. 1

BASE CONTRACT AMOUNT	\$	41,438.83
CHANGE ORDERS TO DATE	\$	0.00
ADJUSTED CONTRACT SUM	\$	41,438.83
COMPLETED TO DATE	\$	41,438.83
LESS RETAINAGE TOTAL EARNED LESS RETAINAGE	\$ \$	0.00 41,438.83
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$	0.00
TOTAL AMOUNT DUE THIS REQUEST	\$	41,438.83

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	TOTAL CONTRACT													



HENEGAN CONSTRUCTION CO. INC.

August 21, 2008

Mr Albert San Filippo Lehman Brothers 1301 Avenue of the Americas 9th Floor New York, NY 10019 Re: Lehman Brothers 1301 Ave of Americas HCC # 280256 9th Floor MD Office

Dear Mr San Filippo:

We herewith submit our proposal to perform alterations at the above-mentioned location for the sum of: FORTY ONE THOUSAND FOUR HUNDRED THIRTY EIGHT DOLLARS AND 83/100, (\$41,438.83).

Scope of Work

Furnish labor and material to perform work at above mentioned location as per Gensler Associates and Robert Derector sketches dated 8/18/08, showing creating an MD Office and file niche from two existing VP offices. Work including but not limited to demo of existing wall, new wall, ceiling layout, light fixtures and field alteration of Steelcase fronts. All work scheduled on OT.

Cost Breakdown

CSI#	Trade	Cost
02070	Demolition	\$3,500.00
09250	Drywall Carpentry	7,430.00
09650	VCT. Base & Carpet	1,200.00
09900	Painting & Wallcovering	1,300.00
10615	Office Fronts	10,267 00
16001	Electrical	8,000.00
01001	Protection	2,500.00
01001	General Conditions (5%)	1,709.85
01001	CM Overtime	4,022 16
98001	Fee (2.5%)	998.23
17001	Insurance (1 25%)	511.59_
,,,,,,	TOTAL	\$41,438.83

Work Not Included

- Building department filing and fees
- Elevator, hoisting engineering and building charges
- · Asbestos removal and all related work
- Trades not listed above.

Thank you for the opportunity to submit this proposal If the above meets with your approval, please sign one copy and return to this office. Should you have any questions or require any additional information, please do not he sitate to contact this office.

Very truly yours,

HENEGAN CONSTRUCTION CO, INC.

Keith D. Frerichs Asst. Project Manager

Accepted	Date

FINAL WAIVER AND RELEASE OF LIEN

rice Projec	1 280256
	Block

Lot __'

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss

TO WHOM IT MAY CONCERN:

The undersigned general contractor has been employed by <u>Lehman Brothers</u>, <u>Inc.</u> (Leasehold Tenant) to furnish labor and material at the premises known as <u>1301 Ave. of the Americas (9th Floor MD Office) New York, NY</u>, of which <u>Equity Office Properties Trust</u> is the Owner.

The undersigned, for and in consideration of sums received in the amount of FORTY ONE THOUSAND FOUR HUNDRED THIRTY EIGHT DOLLAR AND 83/100 (\$41,438.83) and other good and valuable consideration, which together represent the total value of work completed and installed, hereby waives and releases any and all liens, or claims of or rights to liens, under the laws of the State of New York relating to mechanic's liens, with respect to and on the above-described premises and the improvements thereon, and on the material, fixtures, apparatus or machinery furnished, and on the moneys, funds or other considerations due or to become due from the Owner and/or Leasehold Tenant on account of labor, services, material, fixtures, apparatus or machinery, furnished by the undersigned for the above-described project

The undersigned further represents and warrants that s/he is duly authorized and empowered to sign and execute this waiver and release on his/her own behalf and on behalf of the company or business for which s/he is signing; that it has properly performed all work and furnished all the materials of the specified quality in accordance with the contract documents in a good and workmanlike manner, fully and completely; that it has paid for all labor, materials, equipment and services that it has used or supplied or may hereafter use or supply to the above-described premises; that it has no other outstanding and unpaid payment applications, invoices, retentions, holdbacks, expenses employed in the prosecution of work, chargebacks or unbilled work or materials against the Owner and/or the Leaschold Tenant; and that any materials which have been supplied or incorporated into the above premises were either taken from its fully-paid or open stock or were fully paid for and supplied as stated on the final invoice.

The undersigned further agrees to defend, indemnify and hold harmless the Owner and/or the Leasehold Tenant for any losses or expenses, should any such claim, lien or right to a lien be asserted by any of the undersigned's laborers, materialmen or subcontractors.

The undersigned further waives, releases and relinquishes any and all claims, rights or causes of action in equity or law whatsoever arising out of, through or under the above-mentioned project and the performance of work pursuant thereto.

IN WITNESS WHEREOF, the undersigned general contractor has caused this instrument to be signed by its officer thereunto duly authorized this day of September 2008

Sworn to before me this 1/15 day

of September 2008.

By:

Authorized signiture

Tony Slevira/V.P. Accounting

Printed name and title

Printed name and title

Notary Public, State of New York
No. 01RA6955623
Qualified in Nassau County
Commission Expires February 28, 20 102

HENEGAN CONSTRUCTION CO., INC. 250 West 30th Street, New York, New York 10001



September 19, 2007

Invoice #: 047535

To: Lehman Brothers Inc., c/o VVA Associates 1301 Avenue of the Americas-9th Fl. New York, NY 10019 Re: Lehman Brothers Inc., 1301 Ave. of the Americas 3rd Floor-A/V Confe. Room H.C.C. # 260351

Attn: Ms. Pat Begley

Requisition No. 2

BASE CONTRACT AMOUNT	\$ 15,315.52
CHANGE ORDERS TO DATE	\$ 4,359.96
ADJUSTED CONTRACT SUM	\$ 19,675.48
COMPLETED TO DATE	\$ 19,675.48
LESS RETAINAGE	\$ 0.00
TOTAL EARNED LESS RETAINAGE	\$ 19,675.48
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ 15,315.52
TOTAL AMOUNT DUE THIS REQUEST	\$ 4,359.96

cc: Jenny Cottingham Lehman Brothers 1301 Ave. of the Americas New York, New York 10019

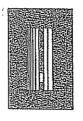
1. ORIGINAL CONTRACT SUM 'n * Ψ CONTRACT FOR: TO OWNER: Lehman Brothers inc., APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) previous months by Owner œ 7 ቅ Continuation Sheet, AIA Document G703, is attached... Application is made for Payment, as shown below, in connection with the Contract. CHANGE ORDER SUMMARY CONTRACTOR'S APPLICATION FOR PAYMENT FROM CONTRACTOR: otal approved this Month VET CHANGES by Change Order BALANCE TO FINISH, INCLUDING RETAINAGE CONTRACT SUM TO DATE (Line 1 + 2)-----CURRENT PAYMENT DUE. LESS PREVIOUS CERTIFICATES FOR PAYMENT TOTAL EARNED LESS RETAINAGE... RETAINAGE TOTAL COMPLETED & STORED TO DATE..... Net change by Change Orders Total Retainage (Line 5a + 5b or (Line 3 less Line 6) (Line 6 from prior Certificate) (Column G on G703) Line 4 less Line 5 Total) Total in Column I of G703) (Column F on G703) 0 % of Stored Material New York, NY 10019 1301 Avenue of the Americas Attn: Patricia Begley New York, New York 10001 250 West 30th. Street Henegan Construction Co., Inc. OIALS ADDITIONS ,359.96 00.0 0.00 00.0 VIA (ARCHITECT): DEDUCTIONS 4,359.96 19,675.48 19,675.48 4,359.96 15,315.52 9,675.48 5,315.52 Gensler Associates HCC #260351 3rd Floor-A/V Conference Room 1301 Avenue of the Americas ehman Brothers 0.00 payments received from the Owner and that current payment shown herein is now due. in accordance with the Contract Documents, that all amounts have been paid by the information and belief the Work covered by this Application for Payment has been completed Contractor for Work for which previous Certificates for Payment were issued and The undersigned Contractor certifies that to the best of the Contractor's knowledge, comprising this application, the Architect certifies to the Owner that to the best of the In accordance with the Contract Documents, based on on-site observations and the data entitled to payment of the AMOUNT CERTIFIED. quality of the Work is in accordance with the Contract Documents, and the Contractor is Architect's knowledge, information and belief the Work has progressed as indicated, the My Commission expires: me this Subscribed and sworn before County of: New York State of: New York CONTRACTOR Notary Public Inis Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without ARCHITECT'S CERTIFICATE FOR PAYMENT to the amount certified.) figures on this Application and on the Continuation Sheet that are changed to conform (Attach explanation If amount certified differs from the amount applied for. Initial all day of HENEGAN CONSTRUCTION CO., INC PERIOD TO: CONTRACT DATE: PROJECT NOS. APPLICATION NO.: 2 V.P./Controller Commission Expires February 1, 20 September 15, 2007 PAGE ONE OF TWO PAGES Date: OWNER Distribution to: OF THEW YORK ARCHITECT CONTRACTOR

AVENUE, N. W., WASHINGTON, D.C. 20005-5292 • AIA DOCUMENT CZ02 • APPLICATION AND CERTIFICATE FOR PAYMENT • 1992 EDITION • AIA ® • & 1992 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK

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HENEGAN CONSTRUCTION CO., INC.

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HENEGAN CONSTRUCTION CO., INC

September 18, 2007

Ms. Jenny Cottingham Lehman Brothers Inc. 1301 Avenue of the Americas New York, NY 10019

Re: Lehman Brothers Inc.
1301 Avenue of the Americas, NYC
3rd Floor AV Conference Room
HCC # 260351
Change Order # 1

Dear Ms. Cottingham:

We herewith submit our proposal to perform additional work at the above referenced location, as outlined below, for the sum of: FOUR THOUSAND THREE HUNDRED FIFTY NINE DOLLARS AND 96/100, (\$ 4,359.96).

Scope of Work

Provide all labor, material, and equipment required to remove power, data, and AV feeds to prototype (Cisco) AV Conferencing Equipment originally installed as part of HCC proposal dated 10/19/06; and refeed these services into new conference room table. All work to be in accordance with Lehman email correspondence received 8/6/07 through 8/16/07 and Campbell & Dawes Proposal dated 8/30/07.

Cost Breakdown

<u>CSI #</u>	<u>Trade</u>	Subcontractor	Cost
16001	Electric	Campbell & Dawes	\$ 3,270.00
01001	General Conditions (5.75%)		188.03
01013	OT Labor	Henegan Construction Co., Inc.	722.68
98001	Fee (3%)		125.42
17001	Insurance (1.25%)		53.83
	TOTAL	-	\$ 4,359.96

Exclusions:

- Building department filing and fees
- Elevator, hoisting engineering and building charges.
- Asbestos removal and all related work.
- Trades not listed above.

Thank you for the opportunity to submit this proposal. If the above meets with your approval, please sign one copy and return to this office, located at 250 West 30th Street, New York, NY 10001. Should you have any questions or require any additional information, please do not hesitate to contact this office.

Very truly yours, HENEGAN CONSTRUCTION CO., INC

kmp	Keith M. Pozzanghern Project Manager
Accepted	Date ·
makened advantage of the control of	250 WEST 30TH STREET NEW YORK, NEW YORK 10001 212 847-8441 FXX: 212 643-1053